

REMARKS

Claims in the case are 1-4, 6-12, 14, 15 and 27, upon entry of this amendment. Claim 1 has been amended, Claim 27 has been added, and Claims 5, 13 and 16-26 have been cancelled without prejudice herein.

The specification has been amended, at page 6, line 3 to include a recitation of original Claim 13. As such, the amendment to page 6 does not represent the addition of new matter to the case.

Claim 1 has been amended to include the subject matter of Claim 13. Accordingly, Claim 13 has been cancelled without prejudice herein. Additional amendments to Claim 1 will be discussed further herein.

Added Claim 27 is a combination of original Claims 1 and 9. As such, basis for added Claim 27 is found in original Claims 1 and 9, and at page 4, lines 6-29 of the specification.

In the Office Action of 1 December 2004, there is required an election from amongst: Claims 1-15 (Group-I); Claims 16-20 (Group-II); and Claims 21-26 (Group-III). The provisional election without traverse of Group-I (i.e., Claims 1-15) that was previously made for Applicants by James R. Franks (Registration No. 42,552) in a telephone conversation with the Examiner on 19 November 2004, is hereby affirmed. The claims of non-elected Groups II and III (i.e., Claims 16-20 and Claims 21-26) have been canceled without prejudice by amendment herein, and Applicants will take appropriate action relative thereto in due course.

Claims 1-15 stand objected to. This objection is respectfully traversed in light of the amendments herein and the following remarks.

Component (a) of Claim 1 has been amended herein to replace "an element" with --a member--. Applicants submit that "VO" of Claim 1 refers to vanadium oxide.

In light of the amendments herein and the preceding remarks, the objection to the claims is deemed to have been overcome. Reconsideration and withdrawal of the present objection is respectfully requested.

Claims 1, 3, 6-8, 10-12 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 5,591,380 (**Wright**). This rejection is respectfully traversed in light of the amendments herein and the following remarks.

Wright does not disclose, teach or suggest a process of preparing a coating composition that includes hydrolyzing compounds represented by formulas (I) and (II) of Applicants' present claims, and which further includes, after the hydrolysis reaction: (i) adding to the hydrolysis product at least one additive selected from the group consisting of flow control agents, dyestuffs, stabilizers and inorganic fillers; and/or (ii) adjusting the concentration of the hydrolysis product to 0.2 to 10 wt.% by adding at least one of alcohols, alkoxy-alcohols and water to the hydrolysis product.

Alternatively, Wright does not disclose, teach or suggest a process of preparing a coating composition that involves hydrolyzing a compound represented by $Zn(R')_m$, in which R' represents a hydrolysable radical, and m is 2.

It is noted that the present rejection does not include Claims 9 or 13. Claim 1 has been amended to include the subject matter of Claim 13. Claim 27 has been added herein, and is a combination of original Claims 1 and 9.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by and patentable over Wright. Reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 1, 2, 4, 6, 7, 10-12 and 14 stand rejected under 35 U.S.C. §102(b) as being anticipated by United States Patent No. 4,485,130 (Lampin et al). This rejection is respectfully traversed in light of the amendments herein and the following remarks.

Lampin et al does not disclose, teach or suggest a process of preparing a coating composition that includes hydrolyzing compounds represented by formulas (I) and (II) of Applicants' present claims, and which further includes, after the hydrolysis reaction: (i) adding to the hydrolysis product at least one additive selected from the group consisting of flow control agents, dyestuffs, stabilizers and inorganic fillers; and/or (ii) adjusting the concentration of the hydrolysis product to 0.2 to 10 wt.% by adding at least one of alcohols, alkoxy-alcohols and water to the hydrolysis product.

Alternatively, Lampin et al does not disclose, teach or suggest a process of preparing a coating composition that involves hydrolyzing a compound represented by $Zn(R')_m$, in which R' represents a hydrolysable radical, and m is 2.

It is noted that the present rejection does not include Claims 9 or 13. Claim 1 has been amended to include the subject matter of Claim 13. Claim 27 has been added herein, and is a combination of original Claims 1 and 9.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by and patentable over Lampin et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

Claims 1-7, 10-12 and 14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,607,590 B2 (Jin et al.). This rejection is respectfully traversed in light of the amendments herein and the following remarks.

Jin et al. does not disclose, teach or suggest a process of preparing a coating composition that includes hydrolyzing compounds represented by formulas (I) and (II) of Applicants' present claims, and which further includes, after the hydrolysis reaction: (i) adding to the hydrolysis product at least one additive selected from the group consisting of flow control agents, dyestuffs, stabilizers and inorganic fillers; and/or (ii) adjusting the concentration of the hydrolysis product to 0.2 to 10 wt.% by adding at least one of alcohols, alkoxy-alcohols and water to the hydrolysis product.

Alternatively, Jin et al. does not disclose, teach or suggest a process of preparing a coating composition that involves hydrolyzing a compound represented by $Zn(R')_m$, in which R' represents a hydrolysable radical, and m is 2.

It is noted that the present rejection does not include Claims 9 or 13. Claim 1 has been amended to include the subject matter of Claim 13. Claim 27 has been added herein, and is a combination of original Claims 1 and 9.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unanticipated by and patentable over Jin et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

Claim 15 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Wright, Lampin et al. and Jin et al. This rejection is respectfully traversed with regard to the amendments herein and the following remarks.

Wright, Lampin et al. and Jin et al., either alone or in combination, do not disclose, teach or suggest a process of preparing a coating composition that includes hydrolyzing compounds represented by formulas (I) and (II) of Applicants'

present claims, and which further includes, after the hydrolysis reaction: (i) adding to the hydrolysis product at least one additive selected from the group consisting of flow control agents, dyestuffs, stabilizers and inorganic fillers; and/or (ii) adjusting the concentration of the hydrolysis product to 0.2 to 10 wt.% by adding at least one of alcohols, alkoxy-alcohols and water to the hydrolysis product.

Alternatively, Wright, Lampin et al and Jin et al, either alone or in combination, do not disclose, teach or suggest a process of preparing a coating composition that involves hydrolyzing a compound represented by $Zn(R')_m$, in which R' represents a hydrolysable radical, and m is 2.


It is noted that the present rejection does not include Claims 9 or 13. Claim 1 has been amended to include the subject matter of Claim 13. Claim 27 has been added herein, and is a combination of original Claims 1 and 9.

In light of the amendments herein and the preceding remarks, Applicants' claims are deemed to be unobvious and patentable over Wright, Lampin et al and Jin et al. Reconsideration and withdrawal of the present rejection is respectfully requested.

Applicants note with appreciation the statement as to the allowability of Claims 9 and 13 on page 7 of the Office Action of 1 December 2004. As discussed previously herein: Claim 1 has been amended to include the subject matter of Claim 13; and Claim 27 has been added herein (Claim 27 being a combination of original Claims 1 and 9). As such, all of Applicants' presently pending claims are deemed to be in condition for allowance.

In light of the amendments herein and the preceding remarks, Applicants' presently pending claims are deemed to define an invention that is unanticipated, unobvious and hence, patentable. Reconsideration of the rejections, and the issuance of a notice of allowance as to all of the presently pending claims is respectfully requested.

Respectfully submitted,

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